

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 16, 2012 at 7:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

DEPARTMENT HEADS PRESENT:

Meg Ferris
Jeff Murphree
Ray Coyne
Rick Hanley
Mason Haas
Gary Pendzick
Scott Harrington
Dave Hegermiller

(The meeting was opened at 7:00 p.m.)

(The Pledge of Allegiance was recited)

Supervisor Walter: "Now it is my pleasure to announce for the first time at town hall, Pastor Enrique LeBron. Did I say that correctly? And Pastor Enrique LeBron, right, there you go, that's what I figured, from the United Methodist Church in Riverhead and you're going to do invocation.

So welcome to the town of Riverhead.

Would you like us to sit or stand? Everybody is sitting so-- "

Pastor Enrique LeBron: "Be comfortable."

Supervisor Walter: "Okay, so you going to do our invocation. Thank you, sir. Welcome to Riverhead."

Pastor Enrique LeBron: "Lovely God, we praise your name and give you thanks for this moment that your people gather to bring their thoughts, ideas, and decision together to make Riverhead a better place to live.

We ask you to bless our families, our children going to school, playing in the playground, around the street. Bless them and guide them and protect them.

Bless our teenagers as they take charge of their commitments and responsibilities.

Bless our men and women that work, study and try to make the best of the resources they have.

But on this night we ask you to guide us, give us wisdom and help us to go through our business.

Thank you for this holy opportunity and continue giving us peace. Amen."

Supervisor Walter: "Pastor LeBron, you just started at United Methodist on East Main Street, right?"

Pastor Enrique LeBron: "Three months ago."

Supervisor Walter: "Three months ago. I know we had-- there was an open-- you were having an open house with coffee and I missed it. That was more recent but welcome to Riverhead. Where are you from originally?"

Pastor Enrique LeBron: "I came from Queens, Jackson Heights, was leading three congregations, English, Spanish and Chinese. But the church spoke 18 languages. So that's Jackson

Heights."

Supervisor Walter: "It might be a little easier here."

Pastor Enrique LeBron: "Here I have fun and opportunity to open Spanish ministry with our English congregation. So we're having a great time."

Supervisor Walter: "Well, thank you very much, sir."

Enrique LeBron: "It is your church, this is your pastor."

Supervisor Walter: "Thank you very much. Take care."

Okay, so we have a guest and a proclamation. It seems that in the snapper tournament we might have given— had a little bit of a problem with an award so Ray if you want to come up. I guess the board will come down and we bring up our (inaudible) Mikayla Nirrengarten.

How do you pronounce your last name? Nirrengartten. I was close."

Ray Coyne: "Like the supervisor said, back in September we had our snapper tournament and Mikayla caught the third largest fish but our judges seemed to get it wrong."

So they awarded the trophy to somebody else after they had told Mikayla she had won. So poor Mikayla had to go home without a trophy."

Supervisor Walter: "Mikayla, that's what you call close enough for government to work sometimes."

Ray Coyne: "But she was an excellent sport; you didn't hear a word from her. After speaking with her Mom, we realized we did something wrong and we wanted to correct that wrong."

And here we are, we have the third place trophy for Mikayla for catching the third largest fish.

We have a tee shirt for you and for Mom and Dad. Congratulations, great job, and keep coming back and catch

larger fish."

Supervisor Walter: "How large was the fish?"

Ray Coyne: "Don't ask me that. It was this big."

Mikayla Nirrengarten: "Thank you very much."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Okay. John, a motion please."

Councilman Dunleavy: "I'd like to make a motion that we approve the minutes of the town board meeting of October 2, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay, Diane, Reports."

Diane Wilhelm: "Under Reports."

REPORTS:

Police Department	September 2012 monthly report
Tax Receiver	utility collection report September, 2012 - \$524,846.75
Town of Riverhead 2011 financial statements were submitted	

CORRESPONDENCE:

Peter Danowski, Jr., Esq.	letter regarding North Shore Country Plaza at Wading River
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Collective Civic Organizations and public interest groups (RNPC, WR Civic, Jamesport, S. Jamesport Civic, Greater Calverton Civic, Sound Park Heights, Group for the East End and NF Environmental Council

letter regarding improvements to ZBA and Planning Board appointment process

Clearview Neighborhood Club

letter of thanks re the public hearing of Oct. 2 Chapter 101 Vehicles and Traffic (stop sign at the intersection of Hinda Blvd. and Industrial Blvd.)

Joseph and Elizabeth Komosinski

letter regarding special permit petition of Philip Swotkiewicz

Diane Wilhelm: "And that's it."

Supervisor Walter: "Okay. Any other reports, committee reports?"

All right. We've got Correspondence, we've got public hearings. We have a- two public hearings scheduled for today and the first one set for 7:05."

Public hearing opened: 7:05

Supervisor Walter: "And 7:05 having arrived, we're going to open up the public hearing for the consideration of the special use permit petition of Philip Swotkiewicz to construct a modular singular family dwelling in place of a pre-existing mobile home at 147 Washington Avenue, Jamesport.

And I think that the applicant is represented by counsel, yes? Sir, if you want to give us your name and information for the record at the podium and you have the- Mr. Behringer."

Thomas Behringer: "Thomas Behringer. I'm at 133 (inaudible) Street, Southampton and I hand you the affidavit of posting, mailing and disclosure."

Supervisor Walter: "You better give us the name again for Diane. Okay."

Thomas Behringer: "Good evening. You may recall we met back in September (inaudible)."

Diane Wilhelm: "Could you speak directly into the microphone? Thank you."

Thomas Behringer: "Which we have notice to property owners and at this point I have the owner and the builder."

Supervisor Walter: "I'm sorry. We ordered new microphones. I don't know where they are."

Thomas Behringer: "Speak into it like this?"

So we have noticed all the adjacent property owners with a mailing and a posting and I have the property owner and the builder here if you have any questions.

I think that's really all we have to add at this point."

Supervisor Walter: "Okay. Does anybody from the neighborhood wish to be heard? Yes."

Joseph Komosinski: "Good evening. Joseph Komosinski, 155 Washington Avenue."

Robert Kozakiewicz: "I'm going to stop you for a second. I don't know if this thing is working or not, but our process for special permits is have anyone other than an attorney sworn in so I'm going to ask you to raise your right hand and state your name for the record."

Joseph Komosinski: "Joseph Komosinski."

Robert Kozakiewicz: "Do you swear that the testimony you are about to receive to be the truth, the whole truth and nothing but the truth so help you God?"

Joseph Komosinski: "I do."

Robert Kozakiewicz: "Thank you."

Joseph Komosinski: "My only points are the approval of the special permit from my perspective, significantly alter both the physical appearance of the property as I see it as well as the usage of the property.

The mobile- the trailer that was there before was basically an eight foot wide flat roofed 8 by 40, 320 square foot one bedroom, one bath unit.

And that's going to be replaced with a more permanent modular home of which is more square in nature and as well as a peaked roof.

Now the increase in size, in square footage, is roughly- is over 80%. This increase in volume is even greater than that."

Supervisor Walter: "Do you know the- I'm going to ask the applicant questions myself when we're done.

Do you know the size of the proposed trailer?"

Joseph Komosinski: "I believe it's roughly- the old trailer is roughly- the new one is about close to 600 square feet, maybe 580 square feet I think."

Councilwoman Giglio: "And you said it was a modular, not a trailer or it is a trailer?"

Joseph Komosinski: "Well the old one was the old style mobile home, single wide, flat roofed, which, again, from a volume standpoint it was also situated on the other side of the yard near the other- near the south side of the yard.

So from my perspective, it was well hidden, fairly far away and the proposed home is going to be more centrally located in the yard therefore closer to my property."

Supervisor Walter: "I'm trying to get Rick's attention. Keep going."

Joseph Komosinski: "So it changes the how I- how the house or the unit will appear to me.

In addition it's a two bedroom, two bath proposed home rental unit and so where as before this very small one bedroom one bath would either accommodate one person or two very close people, now you can have a family back there you know and this is not an owner/occupied property. So this, you know, this is a commercial enterprise."

Councilwoman Giglio: "Okay. So you're saying that the owner doesn't live there because I believe Mr. Behrenger represented to us that time he appeared before us that the elderly mother was living there."

Joseph Komosinski: "Unless she drives a white van, I don't think she lives there."

Supervisor Walter: "We'll ask the applicant."

Councilwoman Giglio: "We'll ask him."

Joseph Komosinski: "Okay."

Councilman Dunleavy: "Can I ask you a question? The old manufactured home that was there, could that be seen from the road or your house?"

Joseph Komosinski: "Well, it could be seen from- it was fairly well hidden from both the road because there were arborvitae I think in front of it and then from my house there is some out buildings that stand between."

Councilman Dunleavy: "And this one you'll be able to see from your house and the road?"

Joseph Komosinski: "I would anticipate that I would be able to see it."

Supervisor Walter: "Okay."

Joseph Komosinski: "So and just, you know, the usage of what I- it's always the potential of what could happen. What I'm concerned about is you know right now there is two young men living- I don't know how young, but the two men living in the front house, they could easily accommodate that in the back house."

There's nothing to stop the property owner from increasing the size of the front house and then going forward five years, ten years from now, what if they come again and want to increase the back house to three bedrooms?

So those are my concerns. All right. Thank you."

Supervisor Walter: "I'm going to ask to come up at the end because I've got lots of questions.

Anybody else from the neighborhood would like to be heard?"

Councilman Wooten: "Bob, In the meantime, can I ask you just a point of town code?

To expand the non-conforming use, pre-existing non-conforming use in this manner, wouldn't you have to be owner/occupied on that property?"

Robert Kozakiewicz: "The premises had- based upon what I understand, a- two residences on it, a house and a mobile home which from what I understand was never discontinued for more than a year.

So the use was one that pre-dated zoning and continued as a non-conforming use- "

Supervisor Walter: "They tore it down."

Robert Kozakiewicz: "Until they tore it down. So they're looking to expand a non-conforming use and that's the reason for the special permit."

Councilwoman Giglio: "I was of the understanding that the pre-existing non-conforming use of having an accessory was prior to 1965, so that's when the owner actually lived there and the owner hasn't lived there for over a year. That's what I understood from what you had told me when you were here before the work session."

Supervisor Walter: "All right. We're going to have them come up and let's do the residents first because I have lots of questions for you guys I think. So we'll have them come up at

the end to answer the questions.

Mary. If you would raise your right hand."

Robert Kozakiewicz: "Would you state your name for the record, please?"

Mary Andruskiewicz: "Mary Andruskiewicz."

Robert Kozakiewicz: "And you have your hand raised already."

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth so help you God?"

Mary Andruskiewicz: "I do."

Robert Kozakiewicz: "Thank you."

Mary Andruskiewicz: "Mary Andruskiewicz, 139- "

Supervisor Walter: "You can pull that down."

Mary Andruskiewicz: "139 Washington Avenue. I live in the house to the south of the subject property. I'm opposed to the application basically for the same reasons that Mr. Komosinski stated."

The owners are proposing to replace some mobile home which it was a mobile home, there were lights on the back and everything, wheel axle so it wasn't an old mobile home, so they're looking to replace that with a permanent modular home which in essence to me subdivides the property without going through the necessary subdivision approvals and without the town conceivably collecting taxes on two distinct pieces of property.

The mobile home was moved to the property, and I know this because the house I live in now, I was born and raised in. The mobile home was moved to the property in the very early 1960's and the property owner at the time, she owned it. Her and her husband moved the mobile home there for their daughter to live in.

So right from the get go when the mobile home was put on the property, the property was owner/occupied."

Supervisor Walter: "Okay. So now we're going to- you are getting to the meat of some of these things.

You're testifying that you've been there since- "

Mary Andruskiewicz: "1963."

Supervisor Walter: "1963 and for- "

Mary Andruskiewicz: "Now you know how old I am."

Supervisor Walter: "Well, for full disclosure we also- well, Mary works for the police department, but you're not here in that capacity."

Mary Andruskiewicz: "Not at all, absolutely not."

Supervisor Walter: "The mobile home or the house combination was owner/occupied- your next door neighbors were owner/occupied for how long?"

Mary Andruskiewicz: "Like I said, the mobile home was put there in the early '60's and Mr. Komosinski I think can attest to that. He's my brother. And I don't- I can't tell you exactly- "

Supervisor Walter: "Who is your brother? The gentleman doing the subdivision?"

Mary Andruskiewicz: "No, the gentleman that was just speaking."

Supervisor Walter: "Oh, okay. I've got it."

Mary Andruskiewicz: "The first speaker.

The property was owner/occupied up until Mr. Swotkiewicz's father passed away and I don't know how long ago that was. I'm not even going to guess because I don't know.

The woman that owned the property before him was the one

who owned it back in the '60's or earlier than that and she's the one who placed the mobile home on the property for her daughter."

Supervisor Walter: "And was it continuously occupied-- I'm doing the math on the percentage of increase-- was it continuously occupied for the entire time, the mobile home and the main house? Was there always somebody in that?"

Mary Andruskiewicz: "For the most part, there was, yes. Yes.

I'm also concerned about the number of tenants. You know, again, the mobile home was a one bedroom one bathroom structure. The proposed modular home is two bedrooms, two bathrooms. So, of course, that allows for more tenants.

I know there was an issue of overcrowding in the house that is being rented, the main house that is being rented now. I know there was an issue of overcrowding last year.

And then the other thing, historically, the property has not been well maintained. You can see the-- well you used to be able to see the trailer or the mobile home from the road. It was blocked for the most part with shrubs and such. But you could certainly see it from the rear, you could see it from my backyard. You could see it from Mr. Komosinski's yard and you could pretty much see, you know, some of it from the road.

But the property is not well maintained and my property is well maintained. The property to the north, Mr. Komosinski's is well maintained and it clearly shows lack of pride in ownership and, you know, that's one of the things that bothers me.

And I know the applicant at the ZBA meeting I know they agreed to put up some sort of natural screening but still at the end of the day I'm still opposed to it."

Supervisor Walter: "Well, you've given us some good information about the owner/occupancy.

Does anybody else have any questions?"

Councilman Dunleavy: "Go ahead. I just want to know when was the last time you noticed somebody occupying that structure?"

Mary Andruskiewicz: "I want to say and to be honest with you I don't know exactly but I think- I'm pretty sure the trailer was taken down, it was taken down over a period of time, and I want to say that it was completely taken down by July or June of 2011.

I think the folks that were living in it before it came down, they maybe moved out somewhere between January and March, 2011. I don't- I really don't remember. I didn't take note of that so I really can't- I don't think it was any later than March of 2011. I know it was cold when they moved out."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "All right. Does anybody else wish to be heard on this issue? Yes, in the back. I'm going to let the applicant go last because I have lots of questions. In the back did I see a hand? Did you waive your hand, miss? Okay. Does anybody else wish to be heard on the matter? Okay."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. Can we ask questions?"

Supervisor Walter: "You can ask us questions and then we'll respond at the appropriate time."

Sal Mastropaolo: "Well, how big a piece of property?"

Robert Kozakiewicz: "Sal, I- "

Sal Mastropaolo: "I'm only going to ask a question. I'm not going to- "

Robert Kozakiewicz: "I know, I know. You have some questions but I've got to still swear you in.

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth so help you God?"

Sal Mastropaolo: "I do."

Robert Kozakiewicz: "Thank you."

Sal Mastropaolo: "I guess my question, excuse me?"

Councilman Wooten: "Point six four."

Sal Mastropaolo: "Point six four. So it's not even three quarters of an acre and it's- "

Supervisor Walter: "The property is- according to- go ahead, ask your question."

Sal Mastropaolo: "What's the property zoned, RB-40? So it's one family. All right. It's been over a year so the special permit really isn't grandfathered anymore so why are we going to allow two residences on a one family piece of property?"

Supervisor Walter: "We're not sure we are."

Sal Mastropaolo: "Thank you. That's my question."

Supervisor Walter: "Just to answer it and I'm going to- I'd like to have Rick come up because I'd like to make a copy of this, I want to have it back, but we need some more information for the record. This is the subdivision, or the subdivision site plan map. Rick, if you could show this to the applicant, I want to make that part of the record. Make sure they're okay with it and I'm going to ask a couple questions.

Were you done, Sal?"

Sal Mastropaolo: "Yes."

Supervisor Walter: "Okay. If you have other questions, you can say. Oh, Rick is going to come up and I'm going to ask you guys a couple questions because I want to show you that and we want to make that part of the record which is the application- "

Councilman Dunleavy: "Rick, can you go over there, please?"

Supervisor Walter: "-- is that okay? All right. So I'm looking at this. Rick, you might not- you might need to respond to this and I know you're not going to be able to do the math off the top of your head but I did it.

The trailer- you may need that application. I think the trailer, the new mobile home which Councilman Wooten was correct, I think it's a double wide, it's 960 square feet. Can you give Mr. Hanley that?

I did the math so you don't have to do the math. But I think it's 960 square feet and that represents a- if it's correct, the original trailer was 320 square feet. I did the math and you- "

Rick Hanley: "It's super imposed. You don't have to- "

Supervisor Walter: "What's the original trailer?"

Rick Hanley: "The original trailer is super imposed."

Robert Kozakiewicz: "Do you want to have the builder- "

Rick Hanley: "The original appears to be 938 square feet."

Supervisor Walter: "The original trailer was 938?"

Rick Hanley: "That says existing house with roof."

Supervisor Walter: "All right. Forget it if- "

Rick Hanley: "It's really not clear from the drawing."

Supervisor Walter: "We had testimony- that's all right, then we won't ask that question, we'll ask them.

The zoning, we've established this as a single family- "

Rick Hanley: "RB-40."

Supervisor Walter: "Are you aware of all of this? I'm not going to put you on the spot."

Rick Hanley: "Sure, not at all."

Supervisor Walter: "Did the zoning board approve the— because this non-conforming use lapsed in May."

Rick Hanley: "I'm thinking that the zoning board of appeals may have re-instituted a non-conforming use. I have to check and see the record but I think that's what— that was the appeal."

Supervisor Walter: "There's no record— they haven't given us a record so we need a record. Not you, the applicant. Okay."

Did anybody else have questions?"

Councilman Dunleavy: "No, I had a question but I think it was answered. RB-40 you put two— "

Rick Hanley: "Forty thousand square foot zone."

Councilman Dunleavy: "-- with a special permit."

Rick Hanley: "It's a residential district, single family residential on 40,000 square feet. This special permit is for a non-conforming use, expansion of a non-conforming use. That's what this application is for."

Councilman Dunleavy: "Okay."

Supervisor Walter: "Okay. All right. Let's have the applicant's attorney come up and you can introduce whoever you want."

I'm going to give you several questions that I need answers to."

Thomas Behringer: "Just before you get to the questions, let me just— we started the application process at the ZBA on March 22, 2012. You have a copy of the ZBA hearing so this— we've been in the process prior to the lapse of the use."

Supervisor Walter: "Well, we don't— because this is a separate— you have to make a record for this apart from the

ZBA. If you want us to incorporate the entire zoning board of appeals record into this, we will."

Thomas Behringer: "At the work session I gave you a copy of that decision."

Supervisor Walter: "I know but that-- this is the public hearing. Do you want us to make a copy?"

Thomas Behringer: "Yes."

Supervisor Walter: "Okay. So you're asking us to incorporate the entire zoning board of appeals file into this record?"

Thomas Behringer: "I apologize. I assumed it already was. Yes, I am."

Supervisor Walter: "Okay, we'll do that. Rick, that will be part of the record."

Thomas Behringer: "We also have a letter of pre-existing use from Richard Gadzinski dated February 25, 2011 and I think that's part of the record as well, that this is in fact a one story wood frame single family residence with a 10 by 12 rear deck, mobile home, covered front porch and two frame outbuildings."

Now just to you know keep this clear. We're proposing that we're going to take down the two sheds, the mobile home has obviously been taken out so we're removing about 847 square feet of structure, replacing it with another correction. It's a 960 square foot modular exterior with an interior living space of about 768 square feet. It's one bath and from there-- "

Supervisor Walter: "Okay. So now my question-- nope I have more questions."

Thomas Behringer: "Okay."

Supervisor Walter: "My-- the issue is this is a really large expansion of a non-conforming use. In the testimony, and I'm going to ask you this, the original unit was eight by forty

and I think two people testified to that, so that was a 320 square foot unit."

Thomas Behringer: "They're not including the deck and, again, I'm going- "

Supervisor Walter: "I'm not concerned about that. I am concerned about- my father would call my grandmother's mobile- every once in a while I control that urge to say the things you shouldn't.

This unit originally unless you can tell us otherwise, was 320 square feet. You're proposing a 960 square foot unit, that's a 66.7% increase; 320 square feet- what did I say? It's- no, it's a 320 square foot unit and this is 960 foot expansion, a 66% increase."

(Inaudible comment)

Supervisor Walter: "So it's a 300% increase and that's even- that's worse. Look at that, caught the supervisor. Yeah, you're exactly right.

Do you have precedent that we've ever done this? This is a huge increase of a non-conforming use."

Thomas Behringer: "No, I don't. We worked hard with the ZBA to downsize the size of the building and that's- "

Supervisor Walter: "Worked hard, a building that's 320 square feet is not that hard to work with.

Now there's testimony on the record that the non- pre-existing non-conforming use that ends after- if you discontinue a pre-existing non-conforming use for a year or more it ends. So you have something that the letter of pre-existing non-conforming use from February of '11. That doesn't mean it continues forever.

You've got testimony that it was taken down, I think you told us that it was taken down last summer."

Thomas Behringer: "Yes."

Supervisor Walter: "You don't have the use anymore."

Thomas Behringer: "We were in the application process and I would argue that that continues that use while we're in the-- until there's a denial, we haven't lost the use."

Supervisor Walter: "Until there's a denial, you haven't lost the use. I think you lose the use-- I'm not going to get into the legal aspect but I think you lose the use after a year. I know you lose the use after a year but we would be stayed while you're in the zoning board of appeals process so has the zoning board of appeals given you the use back?"

Thomas Behringer: "Yes, they did."

Supervisor Walter: "You have a certificate that says the zoning board of appeals gave you the use back?"

Thomas Behringer: "I have their decision."

Supervisor Walter: "All right. Can I see that?"

Councilwoman Giglio: "You're saying the zoning board of appeals has said the use exists, that you can have an accessory building-- "

Supervisor Walter: "I want to see what it says."

Councilwoman Giglio: "-- but you're here because you're trying to-- you're getting-- you're seeking an expansion of a pre-existing non-conforming use? The zoning board determined that the pre-existing non-conforming but now you want to expand it."

Robert Kozakiewicz: "So that the record, there's no question-- I think what we should do is have the ZBA decision made part of the record today so unless there's objection by the applicant, I would presume we're going to make that part of today's hearing."

Thomas Behringer: "He has the decision there."

Supervisor Walter: "Yeah. I asked him to make the whole record part of the decision."

If you look at this, it doesn't even say- it just- I'm a little bit at a loss here because it doesn't say- it doesn't say that the use was- the use ended. Your application should have been to the zoning board of appeals, not only for the re-establishment of the use, but for the size of the unit. It doesn't say they re-established the use."

Thomas Behringer: "I'd have to infer that they- by granting the application they're granting the use. Look back in the record. You're right. It doesn't exactly say that."

Councilwoman Giglio: "At the time they granted it, was the building owner/occupied?"

Thomas Behringer: "No."

Supervisor Walter: "All right. So now my question- and that's a good question, Councilwoman Giglio. There's testimony here that for 40 some odd years it was owner/occupied. Would you take a covenant on the property to make it owner/occupied?"

Because the pre-existing non-conforming use that you seek has to be the same that you have unless the ZBA changed it. So you have a use of an owner/occupied, you know, house with a mobile home unit in the back."

Thomas Behringer: "We would prefer not to because it's somewhat of an untenable covenant. His mother is going to move into it. I said last time, she's not going to live forever. And now what do you do with it, have a vacant house?"

Supervisor Walter: "The problem is that the code frowns upon things that don't follow the zoning that's adopted. In other words when the- when an unconforming use ends the inference is that you go back to the code, it reverts back to the code and your non-conforming use was owner/occupied. This is not owner/occupied. You have a 300% increase in size.

I'm troubled by that because- how big is the house that's on the premises? I don't mean to be rude, I'm just doing some math here."

Thomas Behringer: "It's roughly 30 by 24. It's irregular."

Councilman Dunleavy: "I'm reading that the zoning board of appeals gave you use to put it there, to put the modular home there but they didn't extend the variance for usage for that year. There's nothing there that says we extended this once it's occupied- not occupied for a year. That was never extended."

Thomas Behringer: "You're right. The decision does not exactly say that but they granted- "

Councilman Dunleavy: "They gave you permission to put it there with special conditions. You're supposed to take care of it, you're supposed to remove the sheds. But they didn't extend the variance for the usage."

Thomas Behringer: "And for what it's worth, the building department's determination did not make any mention of owner/occupied."

Councilwoman Giglio: "Yeah, but that's the only way that you can have a second structure on a piece of property within our town is if it's owner/occupied. So- and the ZBA approval refers to the fact that you must take out a rental permit. It doesn't say rental permits because the way I'm reading this, they were not of the impression that both dwellings would be rented out. Because that doesn't happen anywhere in our town."

Thomas Behringer: "No. So I don't know why that would have- "

Councilman Dunleavy: "And the only way we give rental permits is the property has to be owner/occupied. That's our code."

The other thing I want to ask you is this going to be a manufactured home with a skirt around it or modular home with a foundation or a manufactured home with a foundation? Because people are calling it different things. I don't know if it's a manufactured home or a modular home, if it has a foundation or it just has a skirt around it."

Thomas Behringer: "It may be now it's time to get the builder up because I don't know."

Councilman Dunleavy: "Okay. Can he answer that question?"

Thomas Behringer: "Sure."

Supervisor Walter: "Sir, if you could raise your right hand."

John Distefano: "John Distefano."

Supervisor Walter: "Bob, you want to swear him in."

John Distefano: "200 North Magee Street, Southampton, New York."

Robert Kozakiewicz: "Do you swear the testimony you about to give will be the truth, the whole truth, and nothing but the truth so help you God?"

John Distefano: "I do."

Robert Kozakiewicz: "Thank you."

John Distefano: "Okay. It- "

Robert Kozakiewicz: "I'm sorry. She missed your name. Can you state your- "

John Distefano: "D-I-S-T-E-F-A-N-O."

Diane Wilhelm: "Thank you."

John Distefano: "Okay. It's listed erroneously as a modular home and it is not. It is a manufactured home. It comes on a steel frame and it still has wheels.

Sean is coming up with a 300% increase. The old one that was there was- "

Councilman Dunleavy: "Does it have a skirt or a foundation?"

John Distefano: "Skirt."

Councilman Dunleavy: "It's going to have a skirt around it."

John Distefano: "Right."

Councilman Dunleavy: "The wheels are going to stay on?"

John Distefano: "Yeah."

Councilman Dunleavy: "Okay."

John Distefano: "Same as the other one."

Councilman Dunleavy: "Okay."

John Distefano: "The tongue of course comes off, same as the other one. The main structure itself, liveable, habitable space is 768 square feet. So how this is a 300% increase, 320 to 768- "

Supervisor Walter: "I'm going- sir, I'm going by your survey and your survey gives- "

John Distefano: That is showing, excuse me, Sean- "

Supervisor Walter: "We don't go by inside dimensions. We don't go by the inside dimensions, we go by the outside dimensions. It's your survey."

John Distefano: "Okay. Well the outside dimensions on the old unit that was there had a porch attached and a deck. So that should be included in. Correct? I mean if it's tit for tat you take the stuff that was there on the old one and include it in and then you take the stuff on the new one. Because this is got an eight foot porch. The other one had an eight foot or much larger deck attached to the side of it."

Councilwoman Giglio: "It's habitable space, sir."

John Distefano: "Exactly. So what Sean is saying right now that it's not habitable space, that 8 foot by 24 is a deck on the end of the unit."

Supervisor Walter: "What I'm saying to you is well let's

ask this question. Is this a double wide unit?"

John Distefano: "Yes."

Supervisor Walter: "Okay. So how- what is- each unit is 12 feet, correct?"

John Distefano: "Twelve feet wide, that's correct. Twelve and twelve is twenty-four."

Supervisor Walter: "So what I saw on the survey was 24 by- I don't have it in front of me, but 24 by 30 or something like that."

John Distefano: "Thirty two."

Supervisor Walter: "Thirty two, so that's where you get your 960."

John Distefano: "No, it's not. Twenty four times 32 is 768. No, if we're putting this on the record, it's 768. It's also been said that is a-

Supervisor Walter: "Can somebody get me a copy of the survey, please, so I can-

John Distefano: "I can give you a copy of the plan."

Supervisor Walter: "I don't care about the plan. I care about the survey, sir."

John Distefano: "Okay. So the survey should show that it has an eight foot deck on the end of this."

Supervisor Walter: "I have a survey, sir, in front of me that says that this property- let's do the math again. That says 1296."

John Distefano: "Okay. So it's also been said that it's a two bedroom, two bath but it's not. It's a two bedroom one bath."

Councilwoman Giglio: "This survey shows that the proposed-

Supervisor Walter: "Twenty-eight- oh, I thought it was 24. Yeah, I thought- all right, well, it works for you."

Councilwoman Giglio: "This survey shows that the proposed house is 27 by 48."

John Distefano: "No, it's not. That survey wasn't corrected."

Councilman Dunleavy: "No. I have one that says it's 24 by 40 including the deck."

Supervisor Walter: "This is- you guys have to go back to the drawing board here. You really have to go back to the drawing board because the survey that is part of our Riverhead building department shows 24 by 40 which is 960 square feet. Now you just passed up a survey that shows 27 by whatever the heck it is which came out to 1200 square feet- "

John Distefano: "This is not the proposed house."

Supervisor Walter: "I don't know what the proposed house is. But the larger one you just submitted would probably be a 400% increase."

So I'm looking at this like how-- okay, that's what's on file in the planning department."

John Distefano: "Counsel erroneously handed you the wrong survey."

Supervisor Walter: "Okay."

Councilman Wooten: "It could be a five foot square house. We still can't get past the fact that the use has expired."

Supervisor Walter: "Well the use has expired and you've got- okay, so I see the unit has a proposed porch. This is one of these units that I see all over the place when we knock on thousands of mobile home doors and the porch is built into the unit."

John Distefano: "That's correct."

Supervisor Walter: "Okay. No matter how you cut it, you're either 24 by 40 or you're 24 by what is that porch, 8 feet, so that's 32."

John Distefano: "Correct."

Supervisor Walter: "You're still much, much larger than 320 square feet so you're either probably about 250% larger or 300% larger."

John Distefano: "So you're counting the porch on this but you're not going to give- you're not going to count the deck and porch that was there pre-existing attached to the 320?"

Supervisor Walter: "If you want to confirm my math, I'll- 24- "

John Distefano: "You see what I'm saying?"

Supervisor Walter: "No. I'm going to give you the benefit of the doubt, 24 by 32. So that's 768."

John Distefano: "Correct."

Supervisor Walter: "So it's 240% so I was pretty close with 250."

John Distefano: "Okay. So my question- "

Supervisor Walter: "So you have a precedent, that's the legal thing. I need a precedent or something that shows how we- "

John Distefano: "So my question is specifically is you're counting the square footage of habitable space and the porch as what?"

Supervisor Walter: "We took it out. Just took it out."

John Distefano: "I have not finished. Can I finish? Okay.

So you took that porch out, there's the habitable space

alone. Okay. There you go."

Supervisor Walter: "That's a 240% increase. That's huge. Ten, twenty percent, not so huge. Two forty much, much larger than I'm comfortable with."

John Distefano: "Okay, now as counsel also- "

Supervisor Walter: "Unless you show (inaudible)."

John Distefano: "--as counsel also said, they're taking down the dilapidated shed and the garage, and what else was there- Philip will tell you, he's the owner of the property. That square footage is coming off the property and not going back."

Supervisor Walter: "You can take down those accessory usage- uses, which may- usages, let's go with that one. Man, when this gets to the court, the judge is going to think what is wrong with these people.

If you take down the accessory uses that may or may not be legal because you have more than one tool shed here, we're not- that's not something that I'm concerned with because you probably have to take them down anyway because you may have more than you're allowed.

I'm concerned with two things and I think the board has waited on this and we'll see if they have any other questions. One, is the 240% increase in size or 300, either way it's large.

And the other thing is your non-conforming use ended according to the testimony here and what we had heard previously because that mobile home trailer 320 foot square foot trailer was taken down last summer. Is that accurate?"

John Distefano: "Well, the foundation is still in the ground. Yes."

Supervisor Walter: "And nobody is living on the foundation. So you've lost your use and so your zoning board of appeals doesn't say that your use has been re-established. And you've already testified that you've lost your use.

I don't have the power, this board doesn't have the power in our town code to re-establish your non-conforming use."

Councilman Dunleavy: "Only the ZBA can do that. So you would have to go back to the ZBA and re-establish your use before we can rule on the special permit. Because we can't rule on anything that's not permitted by law."

Supervisor Walter: "Exactly. And I would hold this open if you wanted to for you to have the ability to go back to do that if you could, Bob, but I would also suggest that you have to come up with some precedent that we've done this before or really scale this maybe back to about 350 square feet or something."

And it's— you're putting two houses— I don't know what it says about where I live but my house is only 1,400 square feet so you've got two houses on a lot that's probably the same size that I have one single family residence as most of Jamesport in this area is.

So I would— it's your choice. You guys tell us what you want to do. We'd have to talk to our attorney and leave it open. Can we leave this open, Bob, the hearing open and just continue it on if they want to try and go back to the zoning board?"

Robert Kozakiewicz: "I'm not sure if you can do that. We can leave it open if that's what you want to do in order to inquire what the ZBA decision actually granted them."

It's my understanding the application was for the— quote unquote the use, it implies that they granted the second use because the area variance describes things and it also had the caveat that it was requiring a special permit and the special permit requirement wouldn't make sense if there was only one use that was obtained— granted by the zoning board of appeals decision."

Councilwoman Giglio: "Unless they established that the use had existed or had not lapsed for a one year period."

Robert Kozakiewicz: "We don't have the record from the ZBA in front of us."

Councilwoman Giglio: "But even if it was to be scaled back to 320 square feet, I would want to see a covenant that it's owner/occupied to make sure that the property is maintained. So I feel very strongly about that.

I believe that all of our rental permits that we have in the town are owner/occupied and if they're not we issue violations. So I feel very strongly about that, that this is a residential community not a rental property and should not be used for two rental uses on one property in a residential neighborhood."

Councilman Dunleavy: "This is not a commercial piece of property."

John Distefano: "Excuse me, Jodi, I'm the builder, Philip is the owner."

Councilwoman Giglio: "Okay. I'm just- that's my feeling on it."

Supervisor Walter: "All right. My- does anybody else want to weigh in? I think your question, you really have to make a decision. I will leave this open for one more town board meeting but I would like a decision from you folks on whether you're going to modify this application. I don't want to say modify, then we do have to re-hear it, we do have to re-post.

Yeah, we're going to screw ourselves up. I'm going to have to close this and I'll leave it open for written comment. If we have to re-post it, we'll re-post it.

The point is this. Unless I have some precedent on the 240 square foot- 240% increase, you don't have my support. It's too big of an increase. And you have to get the zoning board of appeals to give you the use back because as Councilwoman Giglio said, this is in a single family residential neighborhood and this really is putting two, you know, substantial houses on one piece of property and that's not what- it never was that."

Councilman Wooten: "Right. I tell you what was done in 1963 before zoning turned out to be a problem. Zoning was

created to straighten out a lot of these inconsistencies. That's why they call it non-conforming pre-existing.

Once it expires, it's-- the new code really has to take precedence over the old code. So I certainly wouldn't want to see this happen all over the place when these pre-existing exist. All I hear is they extinguish in time. I think that's where we're at."

Councilman Dunleavy: "It's like he said. The only way we can start straightening these things out is when they expire, the use permits, the special use permits, so that we don't do them anymore and that will straighten out-- we have a lot of non-conforming stuff in this town that was built before zoning and the only way we can straighten it out is to do it this way.

So if the ZBA gives it to you, that's something different."

Supervisor Walter: "So you've got to-- I'm going to close-- unless there's anybody else that wishes to be heard."

Councilwoman Giglio: "I would just say also that the argument before the zoning board of appeals for an area or dimensional setback are different than for a use variance.

A use variance is that the use is not conducive to the zoning in that if you have an economic hardship and an area variance is based on the character of the neighborhood, so I would be curious as to what arguments were made before the zoning board of appeals to determine whether or not a use variance was actually granted or an area of dimensional setback variance was granted."

Philip Swotkiewicz: "Following-- Mr. Swotkiewicz. Following that comment-- "

Robert Kozakiewicz: "Following that comment from that council person, I think that I would recommend to the board that we have a chance to review the ZBA first before we make any determinations and conclusions as to what their relief was."

Supervisor Walter: "Yeah. It's not an area- it's not a use variance. It's an area variance but it doesn't re-establish the non-conforming use.

Yes, sir, would you raise your right hand?"

Robert Kozakiewicz: "State your name for the record, please."

Philip Swotkiewicz: "Philip Swotkiewicz."

Robert Kozakiewicz: "And do you swear that the testimony that you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Philip Swotkiewicz: "Yes, I do."

Robert Kozakiewicz: "Thank you."

Philip Swotkiewicz: "I didn't- if I thought this was going to get this far and this out of hand, I would have stopped this a long time ago.

The- just a little background and I understand really I'm just going to speak because you are obviously going to put this off and we'll go to the ZBA. I spent a lot of time there in the last six months.

The trailer that was on the property was put in there not in 1963. It had to be in maybe 1955 or '57. Actually I have an old record, I'll go find it. My father put it there. I was not a teenager and in 1960 I would have been 15 years old. So I know when it went in there but I don't know what difference that makes anyway.

It has not been owner-occupied for the last 10 years. That property was turned over to my brother and I about 10 years ago. I- we never lived there.

I approached the town building department about, it was an eyesore, it was terrible there. We wanted to improve it and take it out of there. They said if you remove it, you have one year to replace it or else you lose the right.

So we said okay. So it took a while. We didn't do something for a year or two and we finally decided we had to do it. We went to them and said, wait a minute. If we remove it and we're in the process of doing this, if more than a year goes by, would we lose the right? They said no. As long as you applied and do it, it stays there.

So we went ahead and I've gone to through the process this far with it right now.

So I'm just going to leave it at that. We'll go back to the zoning board of appeals. We just wanted to fix the place up to make it look nice. It was an eyesore. It wasn't in keeping with what the neighborhood was like and we wanted to improve it to make it to be I guess you would say, nice neighbors.

We understood we could have just slapped something right back down there that was there before and it was done. But anyway, that's all I'm going to say right now about this."

Councilman Dunleavy: "Thank you, Phil."

Philip Swotkiewicz "Any questions?"

Supervisor Walter: "No. The two issues really are did you lose the use and show us where we've done a 240% increase in, you know, a non-conforming use. I'm not aware of any. We've done some but not that large."

Philip Swotkiewicz: "Well we thought of taking the house down and putting a regular house up there, you know, a house that would be you know a four bedroom home and something bigger. Because the house on the property there now, it's got a porch that's not winterized. It's just got two little bedrooms in it so it's very tiny for the property. And the other piece was tiny so build one thing there that was big.

But I mean we had to rip another down, it would have been expensive, so we just thought we would put something nice in the back and leave the one in the front. And I guess we're having a problem with that."

Supervisor Walter: "I think that's going to be a problem

but I think your initial thoughts of taking them both down and building a nice house the neighbors would appreciate. Having a two family house or two single family houses on one small lot like this is problematic."

Philip Swotkiewicz: "Okay."

Supervisor Walter: "All right. Thank you, sir."

Philip Swotkiewicz: "You're welcome."

Supervisor Walter: "All right. I'm going to close this out for written comment, excuse me, for public comment, and leave it open for written comment until October 26th.

Thank you."

Public hearing closed: 7:55 p.m.

Left open for 10 days for written
comment to October 26, 2012, at
4:30 in the town clerk's office

Public hearing opened: 7:55 p.m.

Supervisor Walter: "Okay. We have a second public hearing scheduled for 7:10. That's a consideration of a local law amending Chapter 37 entitled retirement of the Riverhead town code, Article III early retirement incentive program for eligible full time employees who are members of the Civil Service Employees Association, Inc.

This is basically another retirement incentive. We've done very well with the retirement incentives. This one would give full medical benefits to retiree's spouses for- Tara, is it four years or five years- four years or the alternative which would be the health insurance premium paid to the retiree if they didn't need that insurance and it's been tremendously effective.

It has been a tremendously effective tool for the town and we're going to continue it, hopefully.

Does anybody wish to be heard on this? Not seeing anybody, we will leave this— close the public comment portion and leave it open for written comment— "

Councilman Dunleavy: "These things are great because what we're doing, and the first one we did for municipal employees where we're retiring the high paid people and replacing them with lower paid people to do the same work that they're doing now.

We just did one for the police department and we're going to have I think five to seven people for the police department retire that are highly paid and we'll replace them with lower new police officers.

So this is helping the taxpayer of the town of Riverhead and we want to continue to do that. So that's my comment."

Supervisor Walter: "Okay. Anybody wish to be heard? Not seeing anybody, we will close the public comment portion of the hearing at 7:56 and leave it open for written comment until October 26th."

Public hearing closed: 7:56 p.m.

Left open for 10 days for written comment to October 26, 2012, at

4:30 in the town clerk's office

Supervisor Walter: "Now we're going to open up the public comment portion for resolutions. Sal, how did we do?"

Sal Mastropaolo: "Not bad."

Robert Kozakiewicz: "We have a couple of amendments. I don't know if you want to do them as we get to those resolutions or ahead of time."

Supervisor Walter: "Go ahead."

Robert Kozakiewicz: "On the Resolution 793 which is the BOA grant, the contract award should go to Nelson Pope Voorhees LLC (phonetic) instead of Nelson Pope. That's a small administrative change. And that would be the applicant proposal.

On Resolution 825- amended in the third resolve, that's the second page, and we need to add in the words notice of between a and- "

Unidentified: "We can't hear you back here."

Councilman Dunleavy: "Can't hear you."

Robert Kozakiewicz: "All right. I'll talk loud. Can you hear me now? All right. I'll forget the microphone.

So the second change will be in the third resolve, I'm going to add the words notice of between a and negative."

Councilwoman Giglio: "It's the second resolve, Bob."

Robert Kozakiewicz: "The first one is now, therefore, be it resolved and then the second resolve is the one that talks about potential so it's going to read that the planning department be directed to prepare a notice of negative declaration."

Supervisor Walter: "Okay."

Councilman Dunleavy: "Okay."

Robert Kozakiewicz: "All right."

Supervisor Walter: "Anything else?"

Robert Kozakiewicz: "That's it."

Supervisor Walter: "Good. I love when people pronounce. Sal, with feeling."

Robert Kozakiewicz: "I live in a house with four boys, so you have to."

Sal Mastropaolo: "794, public notice. Fix the first sentence. You've got three words repeated, to receive approximately, to receive approximately."

Supervisor Walter: "794?"

Sal Mastropaolo: "794, the public notice, the first sentence after town of Riverhead expects, the same words are repeated twice."

795, are these funds coming out of parks and recreation?"

Supervisor Walter: "This comes out of parks and rec, not parks and rec. This comes out of CPF money and a grant that we got from New York State."

Sal Mastropaolo: "Okay, thank you."

Supervisor Walter: "This is probably more grant money. I think we already spent our CPF requirement."

Sal Mastropaolo: "796. The notice to bidders, the third paragraph. The beginning of the line is a little confusing. I don't know if somebody added words in there after the fact. A fee \$50.00 refundable fee. It just doesn't--"

Supervisor Walter: "A \$50.00 refundable fee I would think. Yeah, it is a \$50.00 refundable fee."

Sal Mastropaolo: "Okay, so then just take out the word fee."

And the next one, 797 is the same thing.

And that's it."

Supervisor Walter: "We're withdrawing this one because we're withdrawing this one because we're going to extend it for one-- we have an extension of it anyway. So 797 will come out."

Sal Mastropaolo: "That's it."

Supervisor Walter: "Okay. Anybody else wish to be heard on resolutions? Not seeing anyone, Diane."

Resolution #793

Councilman Dunleavy: "Awards bid for implementation of NYS DOS BOA grant. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Yes, as amended with (inaudible) Nelson Pope and Vorhees. Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes, as amended."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #794

Councilman Wooten: "This authorizes the town clerk to publish and post notice for public hearing regarding community development block grant (the CDBG) 2013 funds. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Yes, as amended to remove the words receive approximately which is written twice in the public notice. Yes."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "Yes, as amended."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. As the public notice is amended."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #795

Councilman Gabrielsen: "Awards bid for Weeping Willow Park improvement project contract. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #796

Councilwoman Giglio: "Authorizes the town clerk to publish and post the attached notice to bidders for the annual HVAC service and maintenance contract. So moved."

Councilman Dunleavy: "And seconded, as amended."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes, as amended."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. And that's why it's making so much noise back there because we don't have a contract."

Diane Wilhelm: "The resolution is adopted."

Resolution #797

Councilman Dunleavy: "I'd like to withdraw this-- I make a motion we withdraw this resolution 797. So moved."

Councilman Wooten: "Second to withdraw."

Supervisor Walter: "Moved and seconded as to withdraw."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes, to withdraw."

The Vote (Cont'd.): "Walter, yes. The resolution is withdrawn."

Resolution #798

Councilman Wooten: "Awards bid on new traffic paint striping machine. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #799

Councilman Gabrielsen: "799, you're running one ahead of us."

(Some inaudible discussion about the resolution numbers)

Declares lead agency, classifies and determines significance of action: Town of Riverhead sewer district treatment plant TMDL upgrade. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "An unfunded mandate, we have to do it. So, yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #800

Councilwoman Giglio: "Grants special use permit petition of Ottoman Enterprises, Inc. So moved."

Councilman Dunleavy: "And seconded. (Inaudible) that gas station."

Supervisor Walter: "No, I was just looking-- I want to make sure-- disposal of storm water runoff. Good."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #801

Councilman Dunleavy: "Authorizes the retention of Grant Thornton LLP as an accounting expert in the Matter Filed Day et al v. the town of Riverhead, et al and authorizes Smith, Finkelstein, Lundberg, Isler & Yakaboski to execute a retainer agreement regarding same. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I just hate to hire people like this but in this suit that we're involved in, they hired a specialist in accounting so we have to hire one to take our side."

So I have to vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #802, #803, #804, #805

Councilman Wooten: "Can I move 802, 803, 804, 805, 806."

Supervisor Walter: "Would you please."

Councilman Wooten: "As one. They all deal with- "

Unidentified: "805 you have to stop at."

Supervisor Walter: "So you're going to move 802 through 805."

Councilman Wooten: "Okay. 802 through 805, they all deal with recreation aides to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded as to 802, 803, 804, 805."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 802, 803, 804, and 805 are adopted."

Resolution #806

Supervisor Walter: "We're going to withdraw this. There was a problem with her qualifications."

Councilman Dunleavy: "This has to be withdrawn?"

Supervisor Walter: "Yes, it has to be withdrawn."

Councilman Dunleavy: "I make a motion we withdrawn Resolution 806. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "What was the problem with this?"

Supervisor Walter: "She wasn't qualified for that position. Doesn't qualify for title of recreation leader."

Councilman Wooten: "Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. Resolution 806 is withdrawn."

Resolution #807

Councilman Gabrielsen: "Adopts a local law to amend Chapter 101 entitled Vehicles & Traffic of the Riverhead town code, Section 101-3 stop and yield intersections, railroad crossings, parking fields. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

(Inaudible discussion)

Councilwoman Giglio: "Actually it's the whole neighborhood now that-- "

Councilman Gabrielsen: "Thank you, Larry. Great job."

Diane Wilhelm: "That's a yes?"

Councilman Gabrielsen: "That's a yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "I know people are laughing about this but this is a residential neighborhood and people are using this street as a shortcut and they're speeding and it's public safety. I don't want nobody to get hurt. So we're putting a stop sign to try to curb some of the traffic and speeding that we have there."

So I vote yes."

The Vote (Con'td.): "Walter, yes. The resolution is adopted."

Resolution #808

Councilwoman Giglio: "Authorizes town clerk to publish and post notice for GASB 45 actuarial services for the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #809

Councilman Dunleavy: "Authorization for allocation of highway fund balance. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #810

Councilman Wooten: "Authorizes town clerk to publish and post notice for audit services for town of Riverhead community preservation fund. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #811

Councilman Gabrielsen: "Authorize town clerk to publish

and post notice for audit services for town of Riverhead justice court. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #812

Councilman Gabrielsen: "Authorize town clerk to publish and post notice for annual audit services for town of Riverhead. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #813

Councilman Dunleavy: "Authorization to publish and post advertisement of a request for proposals for collection and recycling of electronic waste. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #814

Councilman Wooten: "Authorization to publish and post advertisement for disposal of town generated construction and demolition material. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #815

Councilman Gabrielsen: "Authorization to publish and post advertisement for disposal and recycling of municipal solid waste. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #816

Councilman Gabrielsen: "Authorization to publish and post advertisement for sale of surplus ground yard waste. So moved."

Supervisor Walter: "Oh, this is not the grinding of yard waste. I'm sorry. This is the— we had so much of it from recent— we're trying to get rid of it."

Councilwoman Giglio: "And seconded."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #817

Councilman Dunleavy: "Authorize the filing of claim for a re fund from the State of New York for MTA payroll tax payments. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Hoping and wishing. Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #818

Councilman Wooten: "Authorizes acceptance of five full time police officers irrevocable letters of resignation for retirement purposes pursuant to the early retirement incentive program for eligible full time police officers of Chapter 37, Article IV entitled retirement of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #819

Councilman Gabrielsen: "Authorize town clerk to publish and post public notice to consider the incorporation of certain private roads into the town of Riverhead's highway system pursuant to New York State Highway Law Section 189 Highways by Use. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. We get paid for maintenance by the state if they're public roads.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #820

Councilwoman Gioglio: "Authorizes the supervisor to execute a retainer agreement with Mary C. Hartill, Esq. Of the law firm of Saladino & Hartill LLP for legal services for the year 2012/2013 (Riverhead Youth Court). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to vote yes. Mary Hartill does an excellent job. These are the children that go to high school in Riverhead and Shoreham and Mercy and she teaches them law and how the criminal justice system works and it makes great public speakers of them and it gives them a little knowledge. Maybe they want to be an attorney, maybe they want to be a judge, maybe they don't want to commit crimes.

So I vote yes."

Supervisor Walter: "Might be town supervisor.

I vote yes too."

Diane Wilhelm: "The resolution is adopted."

Resolution #821

Councilwoman Giglio: "Appoints a marriage officer, Councilman Wooten. So moved."

Supervisor Walter: "I only voting if he dresses just like Elvis."

Councilman Wooten: "I've done stranger things I can tell you that. That's an easy one."

Councilman Dunleavy: "I second that."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "After that how can I refuse? Yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I should abstain."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I'm going to vote yes. He's helping our-- Diane out. There's too many marriages and not enough time to do them. So we need another marriage officer so Mr. Wooten, Councilman Wooten, volunteered to do this if he's-- if he's paid and some times he will get paid on the weekends."

Councilwoman Giglio: "Not in town hall."

Councilman Dunleavy: "Not in town hall. He has to go outside. Okay.

But I vote yes."

Supervisor Walter: "Stay away from the Brookhaven (inaudible)."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #822

Councilman Wooten: "Awards bid for water meters and accessory equipment for use in the Riverhead water district. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution is adopted."

Resolution #823

Councilman Gabrielsen: "Authorizes the supervisor to execute an agreement with Sidney B. Bowne & Son LLP. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. And I thank Jodi Giglio for this because she really pushed this. I didn't agree with it in the beginning but I completely agree with it now."

Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "Thank you, Councilwoman. Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #824

Councilwoman Giglio: "Authorizes the supervisor to execute an agreement with D & B Engineers and Architects P.C. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #825

Councilman Dunleavy: "Declares lead agency, classifies and determines significance of action and approves application of McGann Mercy High School for wetland project on subject property at SCTM# 0600-82-3-6. So moved, as amended."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I'm thinking that we should hire McGann Mercy High School to go to the New York State DEC.

Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to vote yes.

This is a win-win for the town of Riverhead. They are going to fix our drainage problem on one of our highways-- "

Supervisor Walter: "Somewhat fix, not completely."

Councilman Dunleavy: "Somewhat fix. They'll help us out and they're going to triple the size of the wetlands.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #826

Councilman Wooten: "This authorizes the town clerk to publish and post a public notice to consider amendment of fresh water wetlands inventory for McGann Mercy High School, SCTM# 0600-82-3-6. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes, to the public hearing."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #827

Councilman Gabrielsen: "Pays the bills. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay. Now we open it up the public meeting to comments on anything that you'd like to comment on that is before the board."

We ask you to limit your comments to five minutes if you would. Liz Stokes, you're first."

Liz Stokes: "Hello, good evening. My name is Liz Stokes. I've come here tonight, this is only about the fourth, fifth time I've been to a town board meeting and, again, I have to complement this town board because you really pay attention to what is best for the community."

I'm not here to ask for money. You're very lucky. I am, however, here to talk about something near and dear to my heart-- "

Councilman Wooten: "Are you married?"

Liz Stokes: "No, I'm not. I don't even want to see you anywhere. One divorce was enough in a lifetime."

Our assisted living plans, this is very near and dear to my heart. I have a lot of friends who are up in the '80's and I've watched some of them being told as they cry, they have to leave the town that they love and they go down to an assisted living in Smithtown.

Yes, there's one out east. Smithtown one was cheaper. And I've watched this over and over again and it breaks my

heart. Someone who gives their life to this town, raises their kids, puts their kids through school, belongs to all the civic associations, really deserves better from this town.

When we started building all the 55 and over parks and condominium complexes we should have been thinking of this now. Well, it's here now.

I don't know what to say to these people you know when they come to me and they say, Liz, there's no- I have to go into this place.

Well, it's a shame, it's a shame that Riverhead town doesn't have an assisted living complex. I urge this town board to please look at this assisted living project that is on the board.

It is in a beautiful place. It's close to the hospital. Peconic Bay agrees with everything. There are stores there and why should it not be built on a place that is just a perfect description of what Riverhead is.

It's got retail and commerce on one side of it and the other part of it is our beautiful farms and scenery. And they deserve it. Our seniors deserve it.

So I hope the town board considers this in a positive note and if you need me to come and speak again I will be more than happy to bring 25 or 50 seniors with me.

Thank you."

Supervisor Walter: "All right. Thank you, Liz."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Dominique Mendez."

Dominique Mendez: "Hello. Dominique Mendez, Riverhead Neighborhood Preservation Coalition.

Here tonight to talk about something I submitted last week. It was a letter with some suggestions for improvements to the ZBA and planning board appointment process. The letter

was co-signed by four civics, Calverton, Wading River, the Jamesport and the Sound Park Heights which is the Reeves Park group. Also, the North Fork Environmental Council and the Group for the East End.

We have, you know, some serious concerns and some suggestions that might make things better.

I'm going to read you just a couple excerpts from that letter, although it wasn't a particularly long letter, at least not by my standards.

As you know, both of these are appointed boards, the ZBA and Planning Board but they make decisions. The decisions they render have significant impact on the neighborhood, rural routes and business districts of our town.

We believe, and I'm speaking on behalf of all of those undersigned groups, that a more standardized professional and open process will not only assist the town board in making the best decisions but also serve the public interest.

In order to serve on either the Planning Board or ZBA, we think an appointee should possess some very basic qualifications.

At the very least all appointees should have two years of experience dealing with land use issues from any number of variety of perspectives. It might be a planner, architect, engineer, former official, civic leader, environmentalist. Any of those might do.

The goal is that the board should be comprised of members with a broad range of relevant backgrounds and different perspectives in areas of expertise are represented.

It's not really a matter- it shouldn't be a matter of party affiliation, a political party, a philosophy. If that's all they have to base their decisions on, we're not sure if they're going to render good decisions. They should have some experience and then combine that with, you know, their personal philosophies.

In fact, earlier you decided that someone didn't have

maybe enough experience for recreational aide I and I'm thinking that somehow a ZBA or Planning Board appointment should have- you should have some expectations and some qualifications there too."

Supervisor Walter: "I want to just chime in here. Bob Kozakiewicz was the supervisor and I drafted it and it never got passed. We drafted minimum requirements for the- I think it was Planning Board not Zoning Board, and I'm sure that computer system is long since gone in the town attorney's office."

But I agree with you and I think that we should talk to the town attorney's office so, Bob, can we look- I think in the state code there are some guidelines as to minimum qualifications that we could put in for Zoning and Planning Board or might have been that the Association of Towns had some minimum qualifications and we should codify the training requirements from the state law.

So I agree with that and I think we should look into that and they're not onerous, they don't require much but, you know, something would be good.

So Supervisor Kozakiewicz is the first one that proposed that. It just didn't happen 10 years ago so maybe we'll get it to happen."

Dominique Mendez: "Right. And we've collected some information too that might be helpful that I can send along."

Supervisor Walter: "Yeah, that would be fine. I don't know who would draft that. We don't really have to go to code revision with it. We can put something together and submit it to the board. That would be fine."

Dominique Mendez: "Yeah. I mean even standardizing the interview process- it would help standardize the interview process a bit."

Supervisor Walter: "It never went to public hearing. It got shot down. I don't remember why but it got shot down. I wrote it, I don't know where it went. I'm sorry."

I'm going to propose that and I don't think that's a big deal."

Dominique Mendez: "Great. The other part of it is-- "

Supervisor Walter: "(inaudible) was problematic for me but go ahead."

Dominique Mendez: "-- two other towns have this, Brookhaven and Southampton where they have a public forum of an interview. Of course, you're not going to interview 10 people and I don't think that you normally-- I don't even know if you hold any formal interviews but it will require you to do so. And publicly, not that the public is asking them questions. You are asking them questions. The public can be present. We should have a resume in advance. It just makes-- we could witness the process and it's a more open process.

We're not going to be shouting questions out."

Supervisor Walter: "That I can't go along with. I don't think it's proper when you're interviewing somebody for a job to subject that person even to public process of an interview and honestly I don't know how Southampton-- I don't think that makes for a better process. I think people are-- they're going to act differently on camera than they are going to act in a private interview and I can't follow you there and I can't for the life of me figure out why Southampton elected officials think that's a good idea."

Dominique Mendez: "And Brookhaven."

Supervisor Walter: "I'll go with you on the first one but not the second one."

Dominique Mendez: "Well there are four other members too and they might have an opinion. It might be the same as yours and it might not."

Supervisor Walter: "I'm sure they have an opinion but it just seems to me that you're going to wind up-- you're going to put somebody on camera and interview them for a job, that's problematic."

Councilman Dunleavy: "I think it's a personnel matter and personnel matters are- "

Dominique Mendez: "It's a board- "

Councilman Dunleavy: "It is. They get paid by the town of Riverhead so I consider it a personnel matter and personnel matters are subject to- and privacy."

Councilman Gabrielsen: "--have all their laundry, whether it's dirty or clean out there (inaudible)."

Dominique Mendez: "Well maybe we can get some more information from the other towns and how that works and how it's not a problem and maybe you'll reconsider that."

Supervisor Walter: "One out of two is not bad, Dominique."

Councilman Dunleavy: "I agree. We should have some minimum qualifications- "

Councilman Wooten: "I'm not sure they do in Brookhaven town, I'm not sure they do public interviews."

Dominique Mendez: "They do. Sid sat there."

Councilman Wooten: "I think they post the resumes in those- I don't think they- "

Dominique Mendez: "Well they do actually. The resumes are available but they actually have- they do go through the process and have a public interview and Southampton definitely does it. That was an issue down there and that there be a more open process.

And like I said. The decisions they make are binding and are critical decisions for the town and they're not voted in, they're appointed so it's more important that that process be more open.

And my guess is you could have of course other conversations with them. This wouldn't be the sole conversation you had with them. I wouldn't imagine it would be

a formal, the same sort of interview that you might have as a private interview, probably a slightly different sort of interview that you would have in public."

Supervisor Walter: "Well one out of two- give us some more information. I don't think you- "

Dominique Mendez: "I will get you some more information on that on how that works in other towns and I hope you reconsider."

Supervisor Walter: "-- yeah I think that's going to be problematic for the board."

Councilman Dunleavy: "I can see public interview on how they will decide things, what philosophies they will use."

Dominique Mendez: "That's some of the questions you'd ask."

Councilman Dunleavy: "But I couldn't have a public on their application and embarrass them and go over their application, you know some people might have been arrested for something, you know- I mean to leave that out to the public- a question- I don't think that's right. And some people will question these things.

Listen, there's people that are involved in accidents, that risk DWI- "

Dominique Mendez: "It's probably not appearing on their resume though."

Councilman Dunleavy: "I mean, you know, not all arrests are criminal and they shoot somebody or rob someone. There's other arrests that happen. Okay."

Supervisor Walter: "All right. What else have you got, Dominique?"

Councilman Dunleavy: "I mean it's not a joke."

Dominique Mendez: "Okay then. I think that it would be it for now."

Councilwoman Giglio: "Building and planning went through a grueling interview process along with all the other applicants."

Dominique Mendez: "Yeah, I'm sure. But these are— they make binding decisions. They're appointed boards. I do think it's a little bit different than what other towns do. Thank you."

Supervisor Walter: "Thank you."

Councilman Wooten: "Thank you, Dominique."

Supervisor Walter: "Yes, next. Good evening."

Amanda Jane Brown: "Good evening. I'm a little short. Can you see me?"

Supervisor Walter: "I can see you but who are you and who do you represent?"

Amanda Jane Brown: "I'm Amanda Jane Brown. I'm a resident of Riverhead."

Supervisor Walter: "Good evening, Miss Brown."

Amanda Jane Brown: "I'm here in response to a letter that was sent to the RHDC regarding relocation of our office."

As you can see, I've brought an entourage."

Supervisor Walter: "I'm not aware of a letter we sent. I know what they're talking about, but we didn't send a letter. I just went down to meet them and told them personally that the board had made a decision to stop the building."

Amanda Jane Brown: "Well nevertheless we'll go past that."

I am the president of the RHDC board so I represent the board.

My question here is, is there any particular reason why you choose not to relocate us and also— I'm not finished and

then you can answer. I'd like to read what I wrote."

Supervisor Walter: "That's fine."

Amanda Jane Brown: "This way I won't forget anything."

My name is Amanda Jane Brown and I'm president- I'm a resident of the town of Riverhead. I was the vice-president and now I'm president of RHDC board.

I have a lot of history with the housing choice voucher program and know firsthand the good things that they do for the people of Riverhead.

There are some of our seniors here tonight. Due to lack of transportation and health reasons others could not be here but they will be at the next meeting.

I'd like for you to explain why you do not want RHDC in the town of Riverhead. Why would want the RHDC run by an outside agency such as North Fork or Southampton to service the people of Riverhead? And why wasn't the RHDC board notified that you were offering the RHDC out to other agencies?

As president of the RHDC board I need for you to explain to me so I could explain to the board and we can explain to the clients.

Bottom line, I would like to know why you refuse to house RHDC support or better yet why don't you want the RHDC program in Riverhead?

There's an old saying. If it's not broke, why fix it. Are you saying it's broke?"

Supervisor Walter: "Is it my turn?"

Amanda Jane Brown: "Yes, it is."

Supervisor Walter: "Okay. Pretty much most of those things that you stated in there are assumptions that are not based on facts so I will try to let you know where we are- where I am and I think the board is."

The town board is in desperate financial straits, not the town board but the town general fund. We are looking— the town is facing a 14% tax increase. We've laid employees off in 2010. We've laid employees off potentially at the end of this year.

The town has less than three years to correct this problem or the tax increase is coming. We have cut and cut and cut. We can no longer keep the east lawn building because it is falling down around you as you know. It's a beautiful building on the inside. It costs the town something on the order of— just for the air conditioning and the electric \$20,000.

The town has been providing RHDC free rent, probably since its inception. We would love— I would love the program— I want the program to continue in Riverhead, I want to support the program but its time in the east lawn building is not, you know, if we sell it, it's not going to be that they can stay there.

I would be willing to help as I said to your executive director to try to find alternative space for you. The problem is that we don't have any space. We're jamming people in all different locations and until such time as we have the money which is at least two or three years away to put the police department and justice court into the armory, we're going to be busting at the seams.

It's also time for everybody within the sound of my voice to start re-thinking how they do business in government. It can't continue business as usual. The 2% tax cap which I am a supporter of has dictated that.

Unfortunately the tax cap does not come with mandate relief. Riverhead town— I didn't really realize this until this budget and shame on me. Riverhead town actually funds the RHDC to the tune of— without the subsidy for rent \$14,000 a year, the board may know this or they're going to know it now, we pay your accounting, your financial audit of \$8,500. Your phones for about \$2,500 and there's something else in there for about \$2,500. It may be IT services.

We provide all your— I think we provide all your IT services— insurance liability, that's it. And the town is not

in the position that we can continue to do everything and house you for free.

So we'd love to find another home. And when I start to talk about things and cuts, the worse job that I ever had in my life was to take a person's job away. And I don't want to have to do that and that's not my desire to do that, and it is something I don't take lightly.

But we all have to start growing in the same direction and I have not met with- I have not publicly said we're combining or moving you out of Riverhead. I don't think that's the intention of the board.

However, that being said, if there are economies of scale between the Riverhead RDC and the North Shore RDC and the Southampton RDC, are economies of scale where are residents will be served just as well as they are now or better, then those are the things that we have to look at.

If those things aren't something that would work, then we'll know. But the board has an obligation to the taxpayers to look at it.

So what I think the board is asking because we've made the decision to sell the building, is that you folks have to start looking to find something and we'll help but financially it's not something that we can do at this point.

So that's it in a nutshell. And there are going to be- I know you're meeting with town board members individually. I think there are- I think there are some plans to have some meetings with other agencies to see if there's a way, you know, to combine and obtain the same services at a discounted price, not discounted price but the economy scale. So we're going to look in everything.

It's also very interesting to me, it's actually stunning to me. Your charter calls you an instrumentality of the town of Riverhead but yet you have not one town board member on your board and I don't think that's any of your fault. Somebody should do that. And we have residents- we have people on your board that aren't even residents of the town.

So I think that we've done a disservice to your organization because we haven't paid attention to you and so now we are."

Amanda Jane Brown: "You have been invited to join the board but no one has responded."

Supervisor Walter: "Nobody asked me."

Councilman Dunleavy: "No one- I've been here seven years, no one's asked me."

Councilman Wooten: "Well I can tell you I am aware of what you do."

Amanda Jane Brown: "Excuse me."

Councilman Wooten: "I am aware of what your organization stands for and what you do for the citizens of Riverhead, so we don't take that lightly. We will certainly do what we can to make sure that your services continue."

Councilman Dunleavy: "But don't forget, and I remember 85% of your clients are senior citizens."

Amanda Jane Brown: "Yes we are."

Councilman Dunleavy: "And we have to look out locally for our senior citizens. So if we have to- if we spend \$14,000, that \$14,000 is doing very good in the town of Riverhead."

I mean I think HUD give us \$1.8 million dollars in rent subsidies. And you guys make sure that these people go in rental housing that we've inspected where an outside agency may not do that, may just put them in anything that they can find to put somebody in.

So I think you guys are doing a great job and I would spend the \$14,000 to keep you here but you have to ask HUD. Maybe HUD will pay for rent for you, seeing that's the agency that controls you and gives you your funds. Maybe HUD will pay for rent for you to go outside and rent a building.

But I think \$14,000 is very little for what you guys do for our senior citizen population and our disadvantaged population in the town of Riverhead.

And I want to thank you people."

Amanda Jane Brown: "Thank you."

Councilwoman Giglio: "And we also, from our meeting the other day, we do-- before you do place anybody in a house, you have to make sure they have a rental permit from the town and so the owner of the house that you are putting them in has to come to the town or Riverhead and pay a fee to get the rental permit.

And we're thinking about, is one the table to raise the rental fees so we might be able to bring in the revenue that would cover the cost in just the-- I think you said 78 houses-- how many houses did you say you have rentals?"

Amanda Jane Brown: "I don't have that with me."

Supervisor Walter: "It's 196 vouchers you give out in the town and a few in Southampton. Correct?"

Councilman Dunleavy: "I think you have 224 clients."

Amanda Jane Brown: "There's 224-- right."

Councilman Dunleavy: "It was between the town of Riverhead and some people are sent here from the town of Southold-- Southampton. But you guys make sure they go into rental houses that have been inspected and have permits and you guys inspect-- every one of these houses are inspected once a year-- "

Amanda Jane Brown: "Right."

Councilman Dunleavy: "-- by you people. So I mean this is something we're trying to get people to do is move into inspected rental housing and we have too many people that are living in dilapidated housing and they're renting them so, you know. I think the Supervisor brings the \$14,000 up, but I think it's money well spent."

Councilman Wooten: "Miss Brown, can I ask you just so people are aware. You— how much space do you occupy now? You have a conference room and an office space?"

Amanda Jane Brown: "We have one, two, three offices, a bathroom. We have the conference room downstairs which I guess everybody uses."

Councilman Wooten: "That's universal. Okay. So it's not a lot of space you need."

Amanda Jane Brown: "No."

Councilman Wooten: "Okay."

Supervisor Walter: "It's a beautiful space. I wish that the town board could move their offices."

Councilman Wooten: "Well I have more of a problem with the town historian. I don't know what we're going to do with her."

Supervisor Walter: "Yeah, we have to figure that out yet. She's actually an employee of the town. We'll get there."

Amanda Jane Brown: "Thank you very much."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Yes, sir."

Alexander Ott: "My name is— "

Councilman Dunleavy: "Could you raise the microphone up?"

Alexander Ott: "My name is Alexander Ott. I'm here on behalf of the Riverhead Housing and I'm going to tell you that due to our circumstances, our health, we're not able to move out of town. I've been here for about eight years. I have been on the Section 8 and it has worked out very well.

Riverhead housing development and inspectors come out and

relieve quite a few problems that the management of John Wesley do not address."

Supervisor Walter: "You know it's interesting- I don't mean to interrupt so if it's okay, can I interrupt?"

Alexander Ott: "Sure."

Supervisor Walter: "Okay. I meant- I did make a call to Tim Moore- Jim Moore and we played telephone tag but I was going to see whether- because a bulk of the vouchers are in John Wesley, to see if they had some space available to us and so I will try to reach out to Mr. Moore again."

Alexander Ott: "They have two, three clubhouses there, one of which in II is not really used."

Supervisor Walter: "Yeah. That was my thought so maybe we could get the offices in there. That would put you in closer contact with a lot of your clients but again I haven't reached out to Mr. Moore so now the press will do that and he will call me irate things."

Alexander Ott: "Like I said my wife is in a wheelchair, I have problems, I'm 79, she's 76. She's got afib plus she was a cancer survivor and it's going to be very difficult if this goes through an outside organization and they raise our rent."

Supervisor Walter: "That's not something that's even envisioned. It has nothing to do with the rent or raising the rent. It really just has to do with- "

Alexander Ott: "Well if you make them go outside there, an incorporation, that's going to out source- "

Supervisor Walter: "No. No."

Alexander Ott: "You're not going to out source?"

Supervisor Walter: "That's not- "

Alexander Ott: "And this is a political promise?"

Supervisor Walter: "No, no. It's not a political

promise. There are different agencies like for example, there's North Fork Housing Alliance does all of north fork except Greenport as I understand it. Greenport does their own. Southampton has their own in Flanders. And so maybe it's time-- listen people don't want to combine school districts and things like this, maybe it's time that East End Housing Alliance does it all. I don't know. I don't know that's the answer. That's not out sourcing, it's just looking at things from a different lens."

Councilman Dunleavy: "But the problem with that is too-- "

Alexander Ott: "I've had very good service from Riverhead Housing. I've been eight years with them and it's been excellent."

Supervisor Walter: "And you may have-- you may continue to have very good housing experience with them. We may never do anything. We may do something and you'll have even better experience but I can promise you one thing, we're not going to make it so it's worse. That I can promise you."

Alexander Ott: "Don't want-- at my age I don't want to be thrown under the bus."

Supervisor Walter: "We will not do that."

Councilman Dunleavy: "No. And I don't think the clients should be subject to driving over to or getting over to Southampton or going out east to someplace where you may not have a vehicle, you may have to get a taxicab or you may have to wait for a bus.

But I don't think that we should treat our senior citizens like that and make them say you have to go to Southampton or you have to go out to the east end of Long Island on the north fork to get your approvals and inspection dates and stuff."

Supervisor Walter: "Let me ask you a question. Because everyone talks about going there. How often do you actually go to that building?"

Alexander Ott: "Oh, I think I go there maybe twice,

sometimes three times a year."

Supervisor Walter: "To our east lawn building?"

Alexander Ott: "Yes."

Supervisor Walter: "So if we were to look at other ways of doing this, having-- regardless of who does it, regardless of what agency does it, Riverhead, the east end, north fork, as long as the-- an office is in Riverhead that's open that you can do it, you don't-- "

Alexander Ott: "As long as it's a ground floor-- "

Supervisor Walter: "That's the key. Because I'm looking at some of you folks you know and if you're in a wheelchair you're not accessing that building."

Alexander Ott: "I can't even access your walks out there that they put up. They've still got holes in the front (inaudible)."

Councilman Dunleavy: "But if we out source it-- I'm saying we're going to out source it to another organization, one thing if we demand them opening an office in Riverhead, they may not want it because it's going to add expenses to their agency to open this office here.

So I would think that would be a determination that they couldn't comply with."

Councilman Gabrielsen: "Well, John, I think they would because it can condense all their administrations, they would eliminate quite a bit of money just to operate it."

Supervisor Walter: "I don't want to debate that here because we want to-- we don't want to debate that here."

Alexander Ott: "It's still an open question."

Supervisor Walter: "You have our assurance that we're only going to make the service better, not worse, and getting it on the ground floor right then and there if we could do that makes it better, but we're just-- it's an unanswered question."

Alexander Ott: "All right."

Supervisor Walter: "Thank you, sir."

Alexander Ott: "Thank you for your consideration."

Supervisor Walter: "Yes, miss."

Emily Hamill: "Good evening. My name is Emily Hamill. I'm here for the same reason as the two people.

I just want to point out and somewhat the gentleman had said, Mr. Dunleavy, the cost to the senior citizen if they have to go to Southampton.

Center Moriches was mentioned as a place that you may work with. You know what gas costs. So all right, Southampton may only take two gallons of gas but that's eight bucks one way, sixteen both ways. That's if you have a car.

So many of the people I know in the complex I'm in don't have transportation. And it's not a situation where a family member could take them. You have to re-certify every year and there's usually maybe two or three other times during the year that you would go to the housing office.

Family members work. I know in my situation, there isn't anyone in my family that could take me for an appointment during the week. This would put a tremendous burden on these people, not just myself but everyone else that's involved.

It's a terrific program. The Riverhead group is a fantastic group. I don't want to go into a lengthy story about the Southampton group but that's where I had started this whole process. I moved into Riverhead Landing. I was there a month and three days and I get a call from the front office that I owe \$1,900 because the housing authority had not paid my rent.

Why hadn't they paid it? They failed to inspect the apartment. So all of a sudden I call them, oh, sorry. All the paperwork was sent to them from Riverhead Landing to continue the process. I knew nothing about inspections at that point when I moved in.

This is a month and three days later. Meanwhile I'm going into the second month, I owe another month's rent."

Supervisor Walter: "Did it get resolved?"

Emily Hamill: "No. I had to come up with the funds and fortunately I had some very good people that helped me out with this."

Supervisor Walter: "Well, all we can say is if anything changes, the goal is to make it better not worse, a ground floor- we wouldn't even have thought of that if you didn't come and if Southampton doesn't work, Southampton doesn't work. I don't have the answer yet."

Emily Hamill: "There's so much vacant office space in Riverhead and I understand it is the cost that you're concerned about too. But you are not talking about big money in this situation."

The gentleman talked about \$14,000 a year. It's well worth every penny of it.

So I would hope that you would do more than just think about it, that you would work diligently on trying to resolve this to the benefit of a lot of residents.

Thank you."

Supervisor Walter: "Thank you."

Councilman Dunleavy: "I think that in any budget crisis, the ones that give more and are taken away, are your seniors and your youth and that's what we're doing. We're not replacing the youth group- "

Emily Hamill: "You're right. It always seems that in a time of a budget crisis like we're having on a national level, you want to take away from those that can least afford it."

Councilman Dunleavy: "Right. That's right."

Supervisor Walter: "Well, we won't. That I can promise you."

Veronica Elson: "Hi. My name is Veronica Elson and I have been dealing with the housing authority for the past eight years and I have to say if it wasn't for them, I would not be here.

I survived a massive stroke on my left side, I am a cancer survivor and I don't know how I would live if it wasn't for them.

There's so many of us elderly that don't have transportation that are unable to travel either physically or financially and it would be appreciated if they would be considered.

Mr. Dunleavy, you sound like you are for the seniors. In fact, I've seen you at the senior center several times and it is, it's pitiful that the seniors don't get more than what they do get.

And now to upset them and to have to move them, change in an older person is very difficult, very, very difficult. I don't know if you are aware of that. But most elderly people cannot accept change."

Councilman Dunleavy: "That's for sure."

Veronica Elson: "And I appreciate whatever consideration you can give.

Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you."

Jerome Richard: "My name is Jerome Richard. I live in John Wesley III which is a fantastic operation.

When I heard about this I was shocked. You mentioned \$14,000. You know that's a pittance, some. It is, really, when you're operating like a job like that.

I'm against the proposal to have another outside agency coming into Riverhead to honor or to whatever they want to do

to us. We don't have much say anymore. The trouble is, all right, my wife and I, we're both 83, okay. All the parts don't work like they used to.

I still drive but the problem is my wife is now going to have an operation on her foot. I've had a quadruple, my wife's had a triple. We're still surviving.

If it wasn't for Riverhead housing, I don't know what we'd do.

The young lady sitting in the back, Christine, is one fantastic woman. To have her replaced by an outsider agency after all the years she's put in helping us, I'm not able- I don't think to travel to Greenport. I don't even go to Riverhead- Greenport. I don't go to Montauk where I used to fish years and years ago.

I just can't stand. I need a knee operation but I can't have that done until my wife is set up.

I don't know why you have to bring another agency or we have to go to another agency outside of Riverhead."

Supervisor Walter: "Sir, I'm going to say this and I don't say this lightly but somebody that's not on the town board end, somebody is working on scare tactics."

Jerome Richard: "Well- "

Supervisor Walter: "Let me finish, sir."

Jerome Richard: "Go ahead."

Supervisor Walter: "This is scare tactics. Nobody on this board wants to cut your services, nobody on this board wants to cut- take you out of Riverhead.

Somebody- and I have a suspicion I know where it's coming from are trying to scare you guys into thinking that this town board is going to do something that it's not going to do.

The only thing that we're questioning is the fact that the

building has to be sold. The building is not adequate for what they're using for. It's not adequate for what the town is using it for. And I did the unthinkable thing but look at their budget.

And when everybody-- what it all comes down to in the end-- when it all comes out in the wash, we haven't made any decisions except to sell the building.

I myself have called Mr. Moore at John Wesley and if we-- there's no such thing in terms of-- this is not an outsourcing situation. This is a situation where we're going to be looking to see if there's a way to deliver services to you better and if there's not, well then it's going to stay the way it is but it's just not going to stay in that building.

And I'm a little upset that there are people out there engaging in these scare tactics and I want-- I would like the press and everybody that's listening to my voice, to know that this board is not throwing anybody out, ending the program. We're not doing any of that.

And so that-- I guess that backdrop-- go ahead, I'm sorry for interrupting."

Jerome Richard: "No. That's okay. It's just that I cannot understand why you have the idea to save a dollar to bring another agency in who is not going to treat us the same as a Riverhead resident."

Supervisor Walter: "Sir, that's what I said. We have not said that."

Jerome Richard: "But where do you think this rumor-- why is it all of us seniors panicked in a way. What, are we all a bunch of yo-yo's?"

Supervisor Walter: "I think somebody on the-- "

Councilman Wooten: "You certainly didn't hear that from the town board."

Supervisor Walter: "-- you're going to have to go back to the source where you heard the rumor because I'm a pretty

straight shooter. And if I tell you something, you can pretty much take it to the bank.

We're selling the east lawn building. It's not going to be available. The \$14,000 is in the budget. I didn't know about it before and if there's a way to do this better where it doesn't cost us 14,000 and you get better services like say a building on the ground floor, we as elected officials have to look at it.

But as far as changing anything to make your life worse, out sourcing, going to Southampton, going to Greenport, nobody has talked about that. Nobody on this board has talked about that and so it's coming from a source. You are going to have to look at the source yourself and see where you heard it from. It didn't come from here."

Jerome Richard: "Well I am not accusing the board of saying they spread the rumor. I'm not saying that."

Supervisor Walter: "But it's not true so let's not- let's end it."

Jerome Richard: "But what you're trying to tell me now is that there are no operating or apartments in the town of Riverhead that can be used for the same purpose? There's a lot of stores- "

Supervisor Walter: "There's- we don't own the stores. We don't have any office space available in the town of Riverhead.

Until we do the- the only place that we might have which would not be conducive to you, East Avenue would be CAP- "

Councilman Wooten: "Well, maybe the fire department."

Supervisor Walter: "-- and there's nothing, you know, there really isn't anything- the fire department would cost you- air conditioning- "

(Inaudible comment by Councilman Wooten)

Councilman Dunleavy: "But if we put the- if we do want

Councilman Wooten wants to do and put the Suffolk County Historical Society in there, you know, that may work."

Supervisor Walter: "We've got decisions to make about buildings."

Councilman Wooten: "I can tell you right now what it boils down to, sir, I can tell you as a local Councilman, it boils to just re-locating. I don't see a lot of change going on with the organization, not from my standpoint. It's just finding a better location."

Councilman Dunleavy: "Yeah. That's what I'm looking for now is location."

Councilman Wooten: "A better location. Because they can't stay in that building. It's falling down around them."

Jerome Richard: "In other words, what you're saying is the building is going to come down?"

Councilman Dunleavy: "It's not going to come down. It's up for sale. I don't know when it's going to be sold. It could be in six months, it could be a year, it could be a year and a half. It's up for sale. At some time, the office has to re-locate. That gives us time to see what we can do and see if we can re-locate."

I think rumors have started. If people call outside agencies like Southampton and Greenport, they talk to each other and I think that's how rumors get started or speculation gets started that oh, I was called to take over the housing and that's how rumors get started and speculation, you know."

Jerome Richard: "So in other words what you're saying is it's just a rumor?"

Councilman Dunleavy: "I did not make any phone calls. I don't know if the supervisor did. I did not make any."

Supervisor Walter: "The only thing I did is visit the Riverhead Housing Development Corporation and said you're not going to be able to be here and the town doesn't have space for you anywhere. You have to look for other space."

Then I asked for a copy of their budget, found out that the town spends \$14,000 in the Riverhead Housing Alliance and that's as far as it's gone.

But let me ask you a question."

Jerome Richard: "Sure."

Supervisor Walter: "If- and I'm not- if another group that did the same thing came and delivered superior services to you, wouldn't that be a benefit to you?"

Jerome Richard: "That's a flip of the coin. Are you- can you guarantee senior citizens that a new agency is going to come in and do what Riverhead Housing does?"

Supervisor Walter: "I can't guarantee anything."

Jerome Richard: "Okay. Then where is- why would you bring in another agency?"

Councilman Dunleavy: "The way you're phrasing, I don't know if we can get another agency that would give you superior service."

Jerome Richard: "I don't either."

Councilman Dunleavy: "This is what I don't know. So I mean we have to look into it, we are looking into it. I'm on your side. I'll fight for you guys and the housing project. I think it's a great deal.

And people on this board don't know how the housing project got started. I remember how it got started because I lived here at the time."

Councilman Wooten: "I remember."

Councilman Dunleavy: "And I worked here at the time. We had problems with rentals across the street and no one could control them and the housing came in. They controlled them because they have the authority to put people out that are disruptive, that do not keep the apartments up to date. So that's how this housing project was started and it did save the

town of Riverhead a lot of aggravation at that time.

And that's why no one hears about you. Because you're doing a great job. So we don't hear about you. We don't get any complaints. And that's how I like it."

Jerome Richard: "Thank you for your time."

Councilman Wooten: "I think Mary Jane said it best when she said it. If it ain't broke, why fix it?"

Theora Phillips: "Hello, my name is Theora Phillips and I live in John Wesley II. I've been there since 1999. I've been on Riverhead housing since 2004.

I have a medical condition and I don't feel that I could travel a long distance to the housing office and I think that they do a great job. They come in to people that can't go out and in my development I'm not only speaking for myself as a senior citizen but I'm speaking for the other senior citizens that live in the development that cannot be traveling and don't have transportation or either funds to do what they have to do to get to housing further away from Riverhead.

And if you could find something here in Riverhead for the Riverhead housing department, it would be appreciated by all the senior citizens you know. Because it's tough on us, especially the people with a lot of medical disabilities."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you."

Lynn Dohl: "My name is Lynn Dohl, I live in John Wesley also. And I've been receiving assistance since I retired and Riverhead Housing does a great job and I really hope that they stay in the town and I just don't want to say too much. Okay. They're really very good."

Supervisor Walter: "Thank you."

Councilman Dunleavy: "Thank you."

George Bartunek: "Good evening. My name is George

Bartunek. I want to make a statement very quickly here because I think everybody is keeping an eye on the clock and wants to get home to the debate.

I just want to emphasize how important I think the North Fork Environmental Council feels to have certain criteria that you would have in writing, guidelines, for appointments to the zoning board and to the planning board.

I think are you are probably aware, there was a decision that was made some time ago regarding a project on Sound Avenue. It was very close. And a certain member of the zoning board, if they were a like-minded person on the zoning board who made the same decision, certainly the town would have been in a situation with litigation over that determination.

Fortunately it turned out where the determination of the zoning board did come out correctly.

With that said, there's another issue that I think that I've been working with Jodi or have mentioned to Jodi, it's the pump house down in Grangebél Park.

I think that you're probably aware of its absolute disgrace, the conditions of the building, the things that are going on that building.

I started working with the BID two years ago trying to come to some kind of terms with improvement of the building, security of the building. Nothing has gotten accomplished. I just think that you should be aware that something is got to be done.

The kind of business that's being attracted to that building is not the kind of business you want going on downtown. If the building— I mean years ago they had the building boarded up so at least you couldn't have the kind of activities going into that building that are taking place there now."

Supervisor Walter: "We're not going to board it up. There's a resident, I think you're familiar with her. She's made a proposal through Chris Kempner to get brought to the board but this woman never got to the board.

So she's on the agenda, she wants to do something. And we will do something and- "

Councilwoman Giglio: "I feel that it's important that we send it out for a request for proposal for anybody that may want to improve that structure."

George Bartunek: "So that's still moving forward?"

Councilwoman Giglio: "Yes, it is."

George Bartunek: "That's good."

Councilman Dunleavy: "But that's a historic structure. It should stay there. But I think that we should secure it by putting these metal bars up or metal doors so people can't get in there.

But that is a nice structure."

George Bartunek: "Well, you don't want it to look- I think that's- when is that being planned? Is that going to be at work session?"

(Inaudible comment)

George Bartunek: "If you don't mind, I'll- "

Councilman Wooten: "Thank you, George."

Sal Mastropaolo: "Quick question. The railroad station. Is that still available? Why can't you put Riverhead Housing there?"

Supervisor Walter: "The bids were closed. That's an interesting proposal. The bids were closed. I have a phone call into them. I have not- Jill, am I allowed to say anything about the railroad station bids?"

Jill: (Inaudible)

Sal Mastropaolo: "Well, if it doesn't go through, there's a- "

Supervisor Walter: "That's actually a very good idea."

Councilman Dunleavy: "I would think the MTA would want money. They want to raise the fares- "

Sal Mastropaolo: "No. I thought they gave it to you and said- "

Supervisor Walter: "Oh, it's not ours- "

Councilman Dunleavy: "It's not ours. They didn't give it to us. They let us use it and they let us rent it out if we can get appropriate tenants. But we couldn't get the appropriate tenants."

Sal Mastropaolo: "Well, why don't you approach the MTA and tell them do they want to donate the use of the building to Riverhead Housing?"

Supervisor Walter: "Well- "

Sal Mastropaolo: "And write it off as a charity."

Supervisor Walter: "They went out to an RFP- "

Sal Mastropaolo: "If it doesn't go through."

Supervisor Walter: "Yes."

Councilman Dunleavy: "Yeah, but the problem with that is and this is why we couldn't is everybody wants those bathrooms open to the public and there's only two bathrooms and you have to walk into the main office to go to the left to go to the bathrooms and people don't want their offices with strangers walking in and using the bathrooms."

So that was the problem that we had."

Supervisor Walter: "Well, we will figure out what we're doing. The MTA will have to figure out what they're doing with that RFP and I'm going to make a call to them."

All right. Does anybody else wish to be heard? Not seeing anybody- "

Councilman Dunleavy: "I make a motion that we close the town board meeting. So moved."

Supervisor Walter: "All in favor?"

Collective reponse: "Aye."

Meeting closed: 9:06 p.m.